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May 28, 2004

Mr. Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re MUR 5440

Dear Mr. Jordan:

As counsel to Mrs. Teresa Heinz Kerry, we respond on her behalf to your letter of April 7, 2003 in which you indicate that the Commission has received a complaint which indicates that Mrs. Heinz Kerry may have violated the Federal Election Campaign Act of 1971, as amended. Included with your letter is a 67 page letter dated March 31, 2004 on the letterhead of Bush-Cheney '04, together with well over 100 pages of attachments.

A review of those extensive materials confirms that no action should be taken against Mrs. Heinz Kerry. First, the only reference to her in the 67 page letter is at page 26, where she is referred to simply as having "attended" an event described as the "East Bay for Kerry/Move On Org. House Party." This event is also referenced in an article attached as Attachment G. This was apparently an event hosted at the home of Emily Weinstein and no allegation is made that Mrs. Heinz Kerry participated in any way in the organization or planning of that event. This will confirm that she had no such involvement and was simply an attendee who was called upon to offer a few remarks as the wife of Senator Kerry.

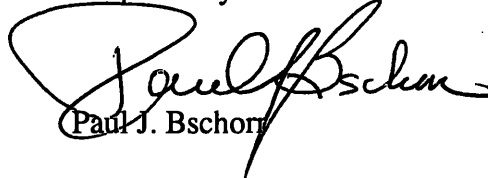
The only other substantive reference to her is in Attachment P which is headed "Respondents" where she is listed on a type written sheet under the subheading "Soft Money Donors." An extensive review of all Mrs. Heinz Kerry's expenditures has been undertaken and, based upon this review, there is no record of her making any contributions to any of "The Groups" listed on that Attachment: America Coming Together, America Votes, The Media Fund, Moving America Forward, Inc., Partner for America's Families, Victory Campaign 2004, and Voices for Working Families. Furthermore, although the authors of the March 31, 2004 letter attach listings of individual contributors to various Section 527 entities, no where does her name appear on such lists.

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Accordingly, we respectfully submit that any complaint as it relates to Mrs. Heinz Kerry should be dismissed without any further action being taken.

Respectfully Submitted,



Paul J. Bschorr

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